

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 21 2001

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 21 1978 under 34444

The applicant **Young Bros, A Nevada General Partnership**, hereby make application for permission to change the **Point of Diversion** of water heretofore appropriated under **Permit 23503, Certificate 8294**

1. The source of water is **Kingston (AKA Big Smokey) Creek & tributaries**
2. The amount of water to be changed **6.0 cfs., 1048.12 acre feet**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 35 T16N., R43E., MDM or at a point from which the NE $\frac{1}{4}$ corner of said Section 35 bears N. 78°22' E a distance of 2680 feet**
6. The existing permitted point of diversion is located within **SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 15 T16N., R44E MDM or at a point from which the SE corner of said Section 15 bears S. 84°08' E a distance of 3695.72 feet**
7. Proposed place of use **23.03 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 38.48 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 21.29 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ 22.56 acres in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, 36.85 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 39.82 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, all in Sec. 24, T.16N., R.44E M.D.M**
8. Existing place of use **no change**
9. Use will be from **Jan 1 to Dec 31** of each year.
10. Use was permitted from **Jan 1 to Dec 31** of each year.
11. Description of proposed works **headworks & pipeline**
12. Estimated cost of works existing
13. Estimated time required to construct works existing
14. Estimated time required to complete the application of water to beneficial use **2 years**
15. Remarks: **This application is to change the point of diversion of the water from Kingston Creek covered under Certificate 8294 Please use map filed under 34444**

s/Ralph A. Young
By **Ralph A. Young**
H.C. 65 Box A
Austin, NV 89310

Compared cmf/cam lb/cmf

Protested _____

68328-T

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions.

This temporary permit to change the point of diversion of the waters of Kingston (AKA Big Smoky) Creek and Tributaries as heretofore granted under Permit 23503, Certificate 8294 is issued subject to the terms and conditions imposed in said Permit 23503, Certificate 8294 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The permittee must have in place, before any water is diverted, measuring devices acceptable to the State Engineer that allow the determination of the amount of water in Kingston Creek not diverted and the amount of water that has been diverted under this temporary permit.

The total combined duty of water under Temporary Permits 68328-T, 68329-T and 68330-T shall not exceed 1921.32 acre-feet annually.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **December 31, 2002** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second, but not to exceed 1048.12 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

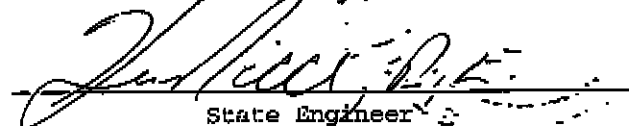
Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 20th day of September, A.D. 2002


State Engineer

TEMPORARY



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